

U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:23-cv-04649-HG

Jones v. Emirates Airlines
Assigned to: Judge Hector Gonzalez
Cause: 28:1441 Notice of Removal

Date Filed: 06/22/2023
Date Terminated: 07/15/2023
Jury Demand: None
Nature of Suit: 310 Airplane
Jurisdiction: Federal Question

Plaintiff

Jasmine Jones
165 West Way
#204
Greenbelt, MD 20770
(914) 510-5502

represented by **John C. Duru**
601 Pennsylvania Avenue, NW
Suite 900, South Building
Washington, DC 20004
202-462-9644
Email: Johnduru@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Emirates Airlines

represented by **Timothy H. Gray**
Katten Muchin Rosenman LLP
1919 Pennsylvania Ave NW
Suite 800
Washington, DC 20006-3404
202-625-3608
Email: timothy.gray@katten.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/22/2023	<u>1</u>	NOTICE OF REMOVAL by Emirates Airlines from Supreme Court Queens County, case number 708975/2023. (Filing fee \$ 402 receipt number ANYEDC-16821150) (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D) (Gray, Timothy) (Entered: 06/22/2023)
06/22/2023	<u>1</u>	Case Assigned to Judge Hector Gonzalez. Please download and review the Individual Practices of the assigned Judges, located on our website . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (SR) (Entered: 06/22/2023)
06/22/2023	<u>1</u>	This case has been opened in the Eastern District of New York. If you plan to continue representing your client(s), you must be admitted to practice before this court. You must do so by applying for Pro Hac Vice or permanent admission. To apply for Pro Hac Vice admission, you must first register for an ECF login and password. Please visit the Court's website at www.nyed.uscourts.gov/attorney-admissions for guidance. Once registered, you must electronically file a Motion to Appear Pro Hac Vice. You must pay the required pro hac vice fee online. (SR)

(Entered: 06/22/2023)

06/22/2023	<u>I 2</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically <i>only if all</i> parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (SR) (Entered: 06/22/2023)
06/22/2023	<u>I 3</u>	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (SR) (Entered: 06/22/2023)
06/22/2023	<u>I 4</u>	<p>SCHEDULING ORDER: Counsel for all parties are directed to file on the docket a joint letter describing the case and a completed civil case management plan by July 27, 2023, as further described in the attached mandatory requirements. The parties' joint letter shall include a description of any discovery that has already been conducted in state court prior to Defendant's removal of this case.</p> <p>Requests for adjournment of the deadline for these submissions will be considered only if made in writing and otherwise in accordance with Section I.D of the Court's Individual Practices. Although the Court will be amenable to a reasonable extension of Defendant's deadline to answer or otherwise respond to Plaintiff's complaint, the Court will require the parties to demonstrate additional good cause to adjourn the deadline for filing the joint letter and proposed case management plan required by this order because the Court does not need Defendant's answer to set a discovery schedule. Ordered by Judge Hector Gonzalez on 6/22/2023. (BH) (Entered: 06/22/2023)</p>
06/22/2023	<u>I</u>	<p>ORDER: Plaintiff shall file a letter no longer than three pages on or before June 29, 2023, explaining Plaintiff's position regarding whether this case was properly removed from state court. Plaintiff's letter must address not only whether the Court has diversity or federal question jurisdiction over the claims at issue in this case, but also whether Defendant complied with the procedural requirements for removal, including the requirements in 28 U.S.C. § 1446. Defendant may file a responsive letter no longer than three pages on or before July 7, 2023.</p> <p>If Plaintiff's letter indicates that removal was improper, the Court will likely take under consideration whether to remand this case based solely on the parties' letters, without affording Defendant the opportunity further to brief the issue, regardless of whether Defendant files a responsive letter. Ordered by Judge Hector Gonzalez on 6/22/2023. (BH) (Entered: 06/22/2023)</p>
06/26/2023	<u>I 5</u>	DECLARATION of Service of Notice of Removal and All Supporting Papers, Filed by Emirates Airlines (Gray, Timothy) (Entered: 06/26/2023)
06/28/2023	<u>I 6</u>	Letter MOTION for pre motion conference <i>Request Regarding Anticipated Motion to Dismiss, Filed</i> by Emirates Airlines. (Gray, Timothy) (Entered: 06/28/2023)
06/30/2023	<u>I</u>	<p>ORDER: The Court previously ordered Plaintiff to file a letter on or before June 29, 2023, explaining her position regarding whether this case was properly removed from state court. Plaintiff has neither filed that letter nor requested an extension of her time to do so. Plaintiff shall file her letter required by the Court's order on or before July 6, 2023, and Defendant shall file its responsive letter on or before July 13, 2023. The Court warns Plaintiff that future failures to comply with the Court's orders may result in sanctions.</p> <p>Plaintiff shall also file on or before July 6, 2023, a separate letter no longer than three pages responding to Defendant's pre-motion letter requesting permission to file a motion to dismiss, <i>see</i> ECF No. <u>6</u> , as required by Section IV.A of the Court's Individual Practices. Plaintiff's letter shall</p>

		explain whether Plaintiff believes she can amend her complaint to address any of the deficiencies asserted in Defendant's letter. Ordered by Judge Hector Gonzalez on 6/30/2023. (BH) (Entered: 06/30/2023)
06/30/2023	<u>I 7</u>	Letter MOTION to Withdraw <i>Attorney John C. Duru as Attorney because he does not have an admission record on file to practice in the Eastern District of New York Court</i> filed by Jasmine Jones. (JC) (Entered: 06/30/2023)
06/30/2023	<u>I</u>	ORDER: The Court has received a <i>pro se</i> letter from Plaintiff indicating that she wishes to represent herself because her attorney who commenced this case in state court is not admitted to practice in this District. <i>See</i> ECF No. <u>7</u> . Plaintiff's counsel shall, on or before July 6, 2023, either: (a) apply for admission <i>pro hac vice</i> or (b) file a motion to withdraw as counsel. Any motion to withdraw as counsel must specify whether Plaintiff's counsel is seeking to withdraw because of his non-admission to practice in this District, because Plaintiff has terminated his representation, or for some other reason. Plaintiff's counsel shall send a copy of this order to Plaintiff as soon as reasonably possible and shall also send Plaintiff a copy of any forthcoming <i>pro hac vice</i> motion or motion to withdraw as counsel. Ordered by Judge Hector Gonzalez on 6/30/2023. (BH) (Entered: 06/30/2023)
07/03/2023	<u>I 8</u>	Letter MOTION for Extension of Time to File <i>Case Management Plan</i> by Emirates Airlines. (Gray, Timothy) (Entered: 07/03/2023)
07/03/2023	<u>I</u>	ORDER: The Court grants Defendant's motion for an extension of time. <i>See</i> ECF No. <u>8</u> . The parties shall file the joint letter and case management plan required by the Court's prior scheduling order, <i>see</i> ECF No. <u>4</u> , on or before August 28, 2023. Plaintiff's deadline remains July 6, 2023, to file letters: (i) regarding the propriety of Defendant's removal of this case from state court, (ii) responding to Defendant's pre-motion letter seeking permission to file a motion to dismiss, and (iii) clarifying whether Plaintiff's counsel intends to continue representing Plaintiff. Ordered by Judge Hector Gonzalez on 7/3/2023. (BH) (Entered: 07/03/2023)
07/06/2023	<u>I 9</u>	MOTION to Withdraw as Attorney <i>for Plaintiff</i> by Jasmine Jones. (PN) (Entered: 07/06/2023)
07/06/2023	<u>I 10</u>	Letter MOTION to Withdraw as Attorney <i>for Plaintiff</i> filed by Attorney John C. Duru. (JC) (Entered: 07/06/2023)
07/06/2023	<u>I 11</u>	Letter dated June 30, 2023 to Judge Gonzalez from Jasmine J. Jones stating that Plaintiff will be representing herself as <i>pro se</i> and requesting that her Attorney, John C. Duru be removed as her lawyer. (JC) (Entered: 07/07/2023)
07/06/2023	<u>I 12</u>	Letter dated the Clerk of Court from Jasmine J. Jones informing the Court that Plaintiff is currently staying at her mother's home and requests that all her legal mail be forwarded to 165 West Way, #204 Greenbelt, MD 20770. (JC) (Entered: 07/07/2023)
07/11/2023	<u>I 13</u>	RESPONSE in Opposition re <u>6</u> Letter MOTION for pre motion conference <i>Request Regarding Anticipated Motion to Dismiss, Filed</i> filed by pro se Jasmine Jones with the assistance of the undersigned counsel, John C. Duru. Please see this submission for further details. (JC) (Entered: 07/11/2023)
07/11/2023	<u>I 14</u>	Letter dated July 11, 2023 to the Clerk of Court from Plaintiff Jasmine J. Jones informing the Court that she does not approve the removal of her case, Jones vs. Emirates Airlines from Washington, DC to the Eastern District of New York. See letter for further details. (JC) (Entered: 07/12/2023)
07/12/2023	<u>I 16</u>	Letter dated July 12, 2023 to the Pro Se Office from pro se Plaintiff Jasmine Jones stating that she "does not take position regarding removal from state court (Queens) to Eastern District court (Federal). (JC) (Entered: 07/14/2023)
07/13/2023	<u>I 15</u>	

Letter From Timothy H. Gray To The Hon. Hector Gonzalez, Dated 7/13/23, In Response To Plaintiff's 7/11/23 Letter Regarding Removal, Filed by Emirates Airlines (Attachments: # 1 Exhibit A) (Gray, Timothy) (Entered: 07/13/2023)

07/15/2023

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ORDER: For the reasons set forth in the accompanying order, the Court hereby transfers this case to the U.S. District Court for the Eastern District of Virginia, pursuant to 28 U.S.C. § 1404(a). The Court respectfully directs the Clerk of Court immediately to transfer the case and waives compliance with Rule 83.1 of the Local Rules for the Eastern District of New York, which otherwise imposes a seven-day delay in the transfer of relevant case materials. Original file, certified copy of transfer order, and docket sheet sent. **ALL FILINGS ARE TO BE MADE IN THE TRANSFER COURT, DO NOT DOCKET TO THIS CASE.** Ordered by Judge Hector Gonzalez on 7/15/2023. (BH) (Entered: 07/15/2023)